

APPROVED: Meeting No. 09-97

ATTEST: *Paula Jewell*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 43-96

December 2, 1996

The Mayor and Council of Rockville, Maryland, convened in Worksession in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on December 2, 1996 at 7:30 p.m.

PRESENT

Mayor Rose G. Krasnow

Councilmember Robert E. Dorsey

Councilmember James T. Marrinan

Councilmember Glennon J. Harrison

Councilmember Robert J. Wright

In attendance: City Manager Rick Kuckkahn, City Clerk Paula Jewell and Assistant City Attorney Sondra Block. Also present were Recreation and Parks Department Director Burt Hall, City Forester Steve Mader, Public Works Director Hal Cranor, Superintendent of Parks and Facilities John Hayes, Assistant City Forester Jerry Daus, Chief of Planning Lisa Rother and Assistant to the City Manager Thomas Edwin Thomas.

Re: Worksession on Recommended changes to the City's Forest and Tree Preservation Ordinance.

City Forester Steve Mader explained that the Forest and Tree Preservation Ordinance (FTPO) was adopted by Rockville in December 1992. Over the past four years, the City has reviewed more than 100 projects. In doing so, staff identified

several areas needing adjustments and were seeking the Mayor and Council's guidance on a number of the issues. Mr. Mader explained the two components of the FTPO; the Forest Stand Delineation and the Forest Conservation Plan. Mr. Mader said that the City's goal is to ensure compliance with the State Forest Conservation Act, promote reforestation and afforestation on development sites within the City, and provide an FTPO which was fair and reasonable to residents and developers. Mr. Mader then outlined the recommended changes:

1. Adoption of the State Conservation Manual and City Regulation changes.
2. Provide for forest/tree planting or retention on private residential property without easement requirements.
3. Minimize the impact to subdivisions, including fully-developed lots and the additions of undeveloped lots to fully-developed lots.
4. Forested flood plains, which cannot be developed, will no longer be credited toward the forest conservation requirements.
5. Develop larger environmental buffers adjacent to streams and parkland.
6. Provide for a City pay-in-lieu fund for meeting a developer's tree planting requirement.
7. Provide for tree replacement requirements for trees removed on utility easements when removal is not associated with a sediment control permit.

The Mayor and Council discussed each of the recommendations and noted the following:

- Councilmember Harrison suggested that staff look into the option of establishing a "tree bank." Citizen associations can help the City identify sites where trees could be planted using those trees in the bank.
- Mayor Krasnow asked that staff look into the idea of developing covenants for homeowner associations to follow.
- Widely publicize the process that homeowners should follow when a tree has to be removed.
- Regarding Recommendation #3, to minimize the impact to subdivisions, including fully-developed lots and the additions of undeveloped lots to fully-developed lots, staff was asked to clarify the language so that it is understood that afforestation is not being eliminated where there is a parking space need.
- Concern was expressed about Recommendation #4 as it relates to Tower Oaks preliminary Forest Delineation Plan. The Mayor and Council expressed an interest in seeing the revised Ordinance apply to any further development on Tower Oaks.
- The Mayor and Council agreed that a review of the Comprehensive Planned Development Ordinance was needed.

Staff was asked to broaden the explanation of the recommended changes to the FTPO to include a review of the legal impacts as well. The Ordinance amendments

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must first be adopted by the Mayor and Council before staff can begin working with the State of Maryland.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 9:35 p.m., to convene again in General Session at 7:30 p.m., on December 16, 1996, or at the call of the Mayor.